

AGENDA BILL APPROVAL FORM

Agenda Subject: Ordinance No. 6263 - Amendments to ACC 18.56 (Signs) for temporary and portable signs		Date: September 2, 2009
Department: Planning, Building & Community	Attachments: Ordinance No. 6263	Budget Impact: N/A
Administrative Recommendation: City Council introduce and adopt Ordinance No. 6263.		

Background Summary:

Chapter 18.56 (Signs) of the Auburn City Code (ACC) contains regulations and standards for the use of different types of signage on private properties and publicly owned land within the municipal limits of the City of Auburn. The Auburn City Council has previously passed ordinances establishing and amending ACC 18.56 (Signs) inclusive of Ordinance No. 4229 in 1987, Ordinance No. 4705 in 1994, Ordinance No. 5993 in 2006 and Ordinance No. 6166 in 2008. The Auburn Planning, Building and Community Department and the Mayor's Office have received numerous requests from local businesses for increased regulatory allowances for portable and temporary signs to help stimulate local business activities during the current significant economic downturn.

Planning, Building and Community Department staff met with the City of Auburn Planning and Community Development Committee on July 27, 2009 and the Planning Commission on August 4, 2009 to discuss issues and ideas for possible amendments to Chapter 18.56 in response to these requests. Following these meetings, City staff prepared draft amendments to ACC 18.56 (Signs) addressing potential additional flexibility for portable signs, temporary signs (i.e. special event signs and banners) and off-site directional signs.

The Planning Commission conducted a duly advertised public hearing on August 25, 2009 on proposed amendments to ACC 18.56 (Signs). Following the close of the public hearing, the Commission deliberated and on a positive unanimous motion recommended City Council adoption of the proposed amendments. As part of its motion, the Commission recommended that the proposed amendments be valid for a one year period from the effective date of the adopting ordinance with the opportunity for two additional six-month effectiveness extensions. The Commission further recommended that prior City authorization be required for the placement of temporary or portable or off-site directional signs in the public rights-of-way.

The Planning and Community Development Committee met in a duly advertised special meeting on September 1, 2009 to review the Planning Commission's recommended text amendments as contained in a draft version of Ordinance No. 6263. The Committee discussed potential modifications to the Commission's recommendations inclusive of: 1) requiring temporary sign permit authorization for temporary and portable signs on private property and the public rights-of-way to regulate the validity of these signs following the expiration of the proposed temporary regulations; 2) limiting the square footage of banners for single

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Reviewed by Council & Committees: <div style="display: flex; justify-content: space-between;"> <div> <input type="checkbox"/> Arts Commission <input type="checkbox"/> Airport <input type="checkbox"/> Hearing Examiner <input type="checkbox"/> Human Services <input type="checkbox"/> Park Board <input checked="" type="checkbox"/> Planning Comm. </div> <div> COUNCIL COMMITTEES: <input checked="" type="checkbox"/> Finance <input type="checkbox"/> Municipal Serv. <input checked="" type="checkbox"/> Planning & CD <input checked="" type="checkbox"/> Public Works <input type="checkbox"/> Other _____ </div> </div>	Reviewed by Departments & Divisions: <table style="width: 100%; border: none;"> <tr> <td><input type="checkbox"/> Building</td> <td><input type="checkbox"/> M&O</td> </tr> <tr> <td><input type="checkbox"/> Cemetery</td> <td><input type="checkbox"/> Mayor</td> </tr> <tr> <td><input type="checkbox"/> Finance</td> <td><input type="checkbox"/> Parks</td> </tr> <tr> <td><input type="checkbox"/> Fire</td> <td><input checked="" type="checkbox"/> Planning</td> </tr> <tr> <td><input checked="" type="checkbox"/> Legal</td> <td><input type="checkbox"/> Police</td> </tr> <tr> <td><input type="checkbox"/> Public Works</td> <td><input type="checkbox"/> Human Resources</td> </tr> <tr> <td><input type="checkbox"/> Information Services</td> <td></td> </tr> </table>	<input type="checkbox"/> Building	<input type="checkbox"/> M&O	<input type="checkbox"/> Cemetery	<input type="checkbox"/> Mayor	<input type="checkbox"/> Finance	<input type="checkbox"/> Parks	<input type="checkbox"/> Fire	<input checked="" type="checkbox"/> Planning	<input checked="" type="checkbox"/> Legal	<input type="checkbox"/> Police	<input type="checkbox"/> Public Works	<input type="checkbox"/> Human Resources	<input type="checkbox"/> Information Services	
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Action: Committee Approval: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Council Approval: <input type="checkbox"/> Yes <input type="checkbox"/> No Referred to _____ Until ____/____/____ Tabled _____ Until ____/____/____		Call for Public Hearing ____/____/____
Councilmember: Norman	Staff: Baker	
Meeting Date: September 8, 2009	Item Number: VIII.A.4	

businesses to 32 square feet; 3) removing the requirement for portable signs to only be displayed during regular business hours and be brought in at night; 4) allowing off-premises directional signs to measure 12 inches by 24 inches instead of 8 inches by 24 inches; and 5) adding language regarding the need for temporary and permanent signs to be maintained in a good and safe condition. At the conclusion of its review of the draft ordinance, the Committee voted unanimously on a positive motion to recommend approval of Ordinance No. 6263 to the Auburn City Council with amendments.

Ordinance No. 6263 is scheduled for review by the Public Works and Finance Committees and for City Council consideration on Tuesday, September 8, 2009.

ORDINANCE NO. 6 2 6 3

**AN ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF AUBURN, WASHINGTON, AMENDING
CHAPTER 18.56 OF THE AUBURN CITY CODE
RELATING TO TEMPORARY SIGNS**

WHEREAS, Auburn City Code Chapter 18.56 governs the placement of signs in the City, including portable and temporary signs; and

WHEREAS, the City of Auburn has received numerous requests from local businesses for increased regulatory allowances for the use of portable and temporary signs to help stimulate local business activity; and

WHEREAS, on August 25, 2009, the City of Auburn Planning Commission held a public hearing on the increased use of portable and temporary signs in the City, and recommended to the City Council that such an increase be allowed; and

WHEREAS, the Planning Commission recommended a one year time period for such increased use with the possibility of up to two extensions of six months, should economic conditions warrant; and

WHEREAS, the City Council finds that under the current economic conditions, it is in the best interest of the City to allow local businesses to increase their use of portable and temporary signs for a limited time period,

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, DO ORDAIN as follows:

Section 1. Amendment to City Code. That, from the effective date of this Ordinance, through September 15, 2010 Section 18.56.010 of the Auburn City Code be and the same hereby is amended to read as follows:

18.56.010 Intent.

The overall purpose of this chapter is to enhance and maintain the aesthetic character, to promote the public health, safety and general welfare, and to increase the effectiveness of visual communication in the city. This chapter is also intended to avoid visual clutter that may adversely impact traffic and pedestrian safety, or be adverse to property values, business opportunities and the city's appearance and to prevent and abate public nuisances. The purpose of this chapter is implemented by controlling the construction, location, use and maintenance of all signs and sign structures. It is also the intent of this chapter to afford noncommercial speech the same or greater protection afforded commercial speech and to not regulate noncommercial speech to a stricter standard than commercial speech. This chapter is further intended to support local businesses in the City and the City's overall economy by providing additional and increased opportunities for the use and siting of temporary and portable signage subject to conditions, including but not limited to time, size, location and placement. (Ord. 5993 § 1, 2006; Ord. 4773 § 1, 1995; Ord. 4229 § 2, 1987.)

Section 2. Amendment to City Code.

That, effective September

16, 2010, Section 18.56.010 of the Auburn City Code be and the same hereby is amended to read as follows:

18.56.010 Intent.

The overall purpose of this chapter is to enhance and maintain the aesthetic character, to promote the public health, safety and general welfare, and to increase the effectiveness of visual communication in the city. This chapter is also intended to avoid visual clutter that may adversely impact traffic and pedestrian safety, or be adverse to property values, business opportunities and the city's appearance and to prevent and abate public nuisances. The purpose of this chapter is implemented by controlling the construction, location, use and maintenance of all signs and sign structures. It is also the intent of this chapter to afford noncommercial speech the same or greater protection afforded commercial speech and to not regulate noncommercial speech to a stricter standard than commercial speech. ~~This chapter is further intended to support local businesses in the City and the City's overall economy by providing additional and increased opportunities for the use and siting of temporary and portable signage subject to conditions, including but not limited to time, size,~~

~~location and placement.~~ (Ord. 5993 § 1, 2006; Ord. 4773 § 1, 1995; Ord. 4229 § 2, 1987.)

Section 3. Amendment to City Code.

That, from the effective date of this Ordinance, through September 15, 2010 Section 18.56.020 of the Auburn City Code be and the same hereby is amended to read as follows:

18.56.020 Definitions.

The following definitions are specific to this chapter and are to be used only for the implementation of this chapter:

- A. "Animated sign" means any sign that flashes or simulates motion with an electronic or manufactured source of supply or contains wind-actuated motion (except for flags and banners). An animated sign may also be a sign that meets the definition of "changing message center" or "revolving sign."
- B. "Banner" means a temporary sign constructed of fabric, vinyl, or other durable material; which is not the primary identification for the organization, event or product advertised; and which is primarily promotional in nature.
- C. "Billboard" means a large outdoor advertising sign containing a message, commercial or otherwise, unrelated to the use or activity on the property on which the sign is located and/or to any use or activity in the immediate area (such as is the case with an off-premises sign) and which is customarily leased for commercial purposes. The approximate sizes of the billboard faces range from 12 to 14 feet in height and 24 to 48 feet in width.
- D. "Changing message center" means an electronically controlled message center that displays different copy changes on the same lamp bank.
- E. "Directional sign" means a sign which is located to guide or direct pedestrian or vehicular traffic to parking entrances, exits, and service areas, and may not exceed six square feet in area or 10 feet in height. For projects that have parking lots in excess of 500 spaces, the sign area may be 10 square feet and the sign height 15 feet.
- F. "Double-faced sign" means a sign with two faces.
- G. "Electrical sign" means a sign or sign structure in which electrical wiring, connections, and/or fixtures are used as part of the sign proper.
- H. "Facade" means the entire building front, or street wall face, including grade to the top of the parapet or eaves, and the entire width of the building elevation.
- I. "Flashing sign" means an electrical sign or a portion thereof which changes light intensity in a sudden transitory burst, or which

switches on and off in a constant pattern in which more than one-third of the nonconstant light source is off at any one time.

J. "Freestanding sign" means a sign that meets the definition of "ground sign" (also commonly referred to as a monument sign), or "pole sign." Signs attached to fences or other structures that are not defined as buildings will be considered freestanding signs.

K. "Frontage" means the measurement, in linear feet, of the length of the property line for a single-tenant building or length of leased building frontage for multitenant buildings or multibuilding complexes.

L. "Grade" means the relative existing ground level in the immediate vicinity of the sign.

M. "Ground sign" means a sign attached to the ground and supported by the ground or a built-up landscaped area such that the sign appears solid with the ground. The height of a ground sign shall be measured from the surrounding grade. Also commonly referred to as a monument sign.

N. "Identification sign" means a sign containing the name of the business establishment, occupant of the building or tenant space and/or address of the premises.

O. "Incidental sign" means a sign that is generally informational and of a noncommercial nature intended primarily for the convenience of the public and having a maximum area of two square feet. Incidental signs include, but are not limited to: signs designating restrooms, hours of operation, entrances and exits to buildings and parking lots, help wanted, public telephones, etc. Also included are property control and warning signs such as "no trespassing," "no dumping," etc., and plaques, tablets or inscriptions which are an integral part of a building.

P. "Mansard roof" means a sloped roof or roof-like facade architecturally able to be treated as a building wall.

Q. "Marquee" means a permanent structure attached to, supported by, and projecting from a building and providing protection from the weather elements. For the purpose of this chapter, a freestanding, permanent roof-like structure providing protection from the elements, such as a service station gas pump canopy, will also be considered a marquee. The term "marquee" also includes canopy.

R. "Marquee sign" means any sign which forms part of or is integrated into a marquee and which does not extend horizontally beyond the limits of such marquee. For the purpose of this chapter, a marquee sign will be considered as a wall sign.

S. "Median sign" means a sign that is placed within the median of a public street.

T. "Multiple-building complex" means a group of commercial or industrial structures, developed as a group either simultaneously or in phases, with more than one building per parcel.

U. "Multiple-tenant building" means a single structure housing more than one retail business, office or commercial venture but not including residential apartment buildings, which share the same lot, access and/or parking facilities.

V. "On-premises sign" means a sign which carries advertisements incidental to a lawful use of the premises on which it is located, including signs indicating the business transacted at, services rendered, goods sold or produced on the premises, name of the person, firm or corporation occupying the premises.

W. "Off-premises sign" means any sign which advertises an establishment, merchandise, service, goods, or entertainment which is sold, produced, and manufactured, or furnished at a place other than on the property on which said sign is located.

X. "Parapet" means a false front or wall extension above the roofline.

Y. "Perimeter" means a square or rectangle required to enclose the sign area.

Z. "Portable sign" means any sign made of any material, including paper, cardboard, wood or metal, which is capable of being moved easily and is not permanently affixed to the ground, structure or building. This also includes sidewalk or sandwich board signs, except those worn by a person.

AA. "Premises" means the real estate as a unit, which is involved by the sign or signs mentioned in this chapter.

BB. "Projecting sign" means a sign which is attached to a structure or building wall in such a manner that the leading edge extends more than 16 inches beyond the surface of said structure or wall but does not extend more than five feet beyond the property line, extends no more than six inches above any roofline, and meets all standards for ground clearance. Signs that meet the definition of "marquee sign" or "suspended sign" will not be considered a "projecting sign."

CC. "Real estate sign" means a portable sign erected by the owner, or the owner's agent, advertising the real estate upon which the sign is located for rent, lease or sale.

DD. "Revolving sign" means any sign that rotates or turns in motion by electrical or mechanical means in a circular pattern.

EE. "Roof sign" means a sign erected upon or above a roof or parapet of a building or structure. Mansard roof signs shall be considered as wall signs. Roof signs may not extend more than five feet in height above the roof.

FF. "Sign" means any visual communication device, structure, or fixture which is visible from any right-of-way intended to aid a land

use in promoting the sale or identification of a product, good or service using graphics, symbols, or written copy. For the purpose of this chapter, a sign shall not be considered to be building or structural design. It shall be restricted solely to graphics, symbols, or written copy that is meant to be used in the aforementioned way. This definition shall include inflatable signs, balloons or other similar devices.

GG. "Sign area" means:

1. The total area of a sign visible from any one viewpoint or direction, excluding the sign support structure, architectural embellishments, or framework that contains no written copy, and includes only one side of a double-faced sign.
2. Individual letter signs using a wall as the background without added decoration or change in wall color shall be calculated by measuring the perimeter enclosing each letter. The combined total area of each individual letter shall be considered the total area of the sign.
3. Module signs consisting of more than one sign cabinet shall be computed by adding together the total area of each module.
4. Perimeter of sign area shall be established by the smallest rectangle enclosing the extreme limits of the letter module or advertising message being measured.

HH. "Sign height" means the vertical distance measured from the adjacent grade to the highest point of the sign.

II. "Sign structure" means any structure that supports or is capable of supporting any sign as defined in this chapter. A sign structure may be a single pole or may or may not be an integral part of the building or structure.

JJ. "Single-tenant building" means a commercial building or structure that contains one enterprise or occupant. Buildings within a multibuilding complex may not be considered a single-tenant building.

KK. "Special event signage" means temporary signs including posters, flags, pennants, and inflatable materials; which are not the primary identification for the organization, event or product advertised; and which are primarily intended for ~~very~~ short-term promotional periods.

LL. "Suspended sign" means a sign that is attached to and suspended from a marquee or canopy, and subject to right-of-way and clearance regulations.

MM. "Temporary sign" means any sign or advertising display constructed of wood, vinyl, cloth, canvas, light fabric, paper, cardboard, or other light materials, with or without frames, intended to be displayed for a limited time only. This definition shall include inflatable signs.

NN. "Traffic hazard" means any sign which does not meet city standards for clear zone or sight distance or which does not meet the requirements of the Americans with Disabilities Act.

OO. "Wall sign" means a sign attached or erected parallel to and extending not more than 16 inches from the facade or face of any building to which it is attached and supported through its entire length, with the exposed face of the sign parallel to the plane of said wall or facade. "Window signs" which do not meet the definition of a "temporary sign" shall be considered as wall signs.

PP. "Window sign" means a sign located inside or affixed to windows of a building, whether temporary or permanent, lighted or unlighted, which may be viewed from the exterior of the building.

QQ. "Feather Banner or Sign" means a fabric sign with printed advertisement on one or two faces that is either stationery or rotates and is attached on one side to a metal pole or stake that is placed in the ground or attached to a secure object.

RR. "Off-premise directional sign" means a sign located on private property or in the public right-of-way as authorized that directs or guides persons to an establishment, merchandise, service, goods, or entertainment which is sold, produced, and manufactured, or furnished at a place other than on the property or public right-of-way on which said sign is located. (Ord. 6166 § 1, 2008; Ord. 5993 § 1, 2006; Ord. 4705 § 2, 1994; Ord. 4229 § 2, 1987.)

Section 4. Amendment to City Code.

That, effective September

16, 2010 Section 18.56.020 of the Auburn City Code be and the same hereby is amended to read as follows:

18.56.020 Definitions.

The following definitions are specific to this chapter and are to be used only for the implementation of this chapter:

A. "Animated sign" means any sign that flashes or simulates motion with an electronic or manufactured source of supply or contains wind-actuated motion (except for flags and banners). An animated sign may also be a sign that meets the definition of "changing message center" or "revolving sign."

B. "Banner" means a temporary sign constructed of fabric, vinyl, or other durable material; which is not the primary identification for the organization, event or product advertised; and which is primarily promotional in nature.

C. "Billboard" means a large outdoor advertising sign containing a message, commercial or otherwise, unrelated to the use or activity on the property on which the sign is located and/or to any

use or activity in the immediate area (such as is the case with an off-premises sign) and which is customarily leased for commercial purposes. The approximate sizes of the billboard faces range from 12 to 14 feet in height and 24 to 48 feet in width.

D. "Changing message center" means an electronically controlled message center that displays different copy changes on the same lamp bank.

E. "Directional sign" means a sign which is located to guide or direct pedestrian or vehicular traffic to parking entrances, exits, and service areas, and may not exceed six square feet in area or 10 feet in height. For projects that have parking lots in excess of 500 spaces, the sign area may be 10 square feet and the sign height 15 feet.

F. "Double-faced sign" means a sign with two faces.

G. "Electrical sign" means a sign or sign structure in which electrical wiring, connections, and/or fixtures are used as part of the sign proper.

H. "Facade" means the entire building front, or street wall face, including grade to the top of the parapet or eaves, and the entire width of the building elevation.

I. "Flashing sign" means an electrical sign or a portion thereof which changes light intensity in a sudden transitory burst, or which switches on and off in a constant pattern in which more than one-third of the nonconstant light source is off at any one time.

J. "Freestanding sign" means a sign that meets the definition of "ground sign" (also commonly referred to as a monument sign), or "pole sign." Signs attached to fences or other structures that are not defined as buildings will be considered freestanding signs.

K. "Frontage" means the measurement, in linear feet, of the length of the property line for a single-tenant building or length of leased building frontage for multitenant buildings or multibuilding complexes.

L. "Grade" means the relative existing ground level in the immediate vicinity of the sign.

M. "Ground sign" means a sign attached to the ground and supported by the ground or a built-up landscaped area such that the sign appears solid with the ground. The height of a ground sign shall be measured from the surrounding grade. Also commonly referred to as a monument sign.

N. "Identification sign" means a sign containing the name of the business establishment, occupant of the building or tenant space and/or address of the premises.

O. "Incidental sign" means a sign that is generally informational and of a noncommercial nature intended primarily for the convenience of the public and having a maximum area of two square feet. Incidental signs include, but are not limited to: signs

designating restrooms, hours of operation, entrances and exits to buildings and parking lots, help wanted, public telephones, etc. Also included are property control and warning signs such as "no trespassing," "no dumping," etc., and plaques, tablets or inscriptions which are an integral part of a building.

P. "Mansard roof" means a sloped roof or roof-like facade architecturally able to be treated as a building wall.

Q. "Marquee" means a permanent structure attached to, supported by, and projecting from a building and providing protection from the weather elements. For the purpose of this chapter, a freestanding, permanent roof-like structure providing protection from the elements, such as a service station gas pump canopy, will also be considered a marquee. The term "marquee" also includes canopy.

R. "Marquee sign" means any sign which forms part of or is integrated into a marquee and which does not extend horizontally beyond the limits of such marquee. For the purpose of this chapter, a marquee sign will be considered as a wall sign.

S. "Median sign" means a sign that is placed within the median of a public street.

T. "Multiple-building complex" means a group of commercial or industrial structures, developed as a group either simultaneously or in phases, with more than one building per parcel.

U. "Multiple-tenant building" means a single structure housing more than one retail business, office or commercial venture but not including residential apartment buildings, which share the same lot, access and/or parking facilities.

V. "On-premises sign" means a sign which carries advertisements incidental to a lawful use of the premises on which it is located, including signs indicating the business transacted at, services rendered, goods sold or produced on the premises, name of the person, firm or corporation occupying the premises.

W. "Off-premises sign" means any sign which advertises an establishment, merchandise, service, goods, or entertainment which is sold, produced, and manufactured, or furnished at a place other than on the property on which said sign is located.

X. "Parapet" means a false front or wall extension above the roofline.

Y. "Perimeter" means a square or rectangle required to enclose the sign area.

Z. "Portable sign" means any sign made of any material, including paper, cardboard, wood or metal, which is capable of being moved easily and is not permanently affixed to the ground, structure or building. This also includes sidewalk or sandwich board signs, except those worn by a person.

AA. "Premises" means the real estate as a unit, which is involved by the sign or signs mentioned in this chapter.

BB. "Projecting sign" means a sign which is attached to a structure or building wall in such a manner that the leading edge extends more than 16 inches beyond the surface of said structure or wall but does not extend more than five feet beyond the property line, extends no more than six inches above any roofline, and meets all standards for ground clearance. Signs that meet the definition of "marquee sign" or "suspended sign" will not be considered a "projecting sign."

CC. "Real estate sign" means a portable sign erected by the owner, or the owner's agent, advertising the real estate upon which the sign is located for rent, lease or sale.

DD. "Revolving sign" means any sign that rotates or turns in motion by electrical or mechanical means in a circular pattern.

EE. "Roof sign" means a sign erected upon or above a roof or parapet of a building or structure. Mansard roof signs shall be considered as wall signs. Roof signs may not extend more than five feet in height above the roof.

FF. "Sign" means any visual communication device, structure, or fixture which is visible from any right-of-way intended to aid a land use in promoting the sale or identification of a product, good or service using graphics, symbols, or written copy. For the purpose of this chapter, a sign shall not be considered to be building or structural design. It shall be restricted solely to graphics, symbols, or written copy that is meant to be used in the aforementioned way. This definition shall include inflatable signs, balloons or other similar devices.

GG. "Sign area" means:

1. The total area of a sign visible from any one viewpoint or direction, excluding the sign support structure, architectural embellishments, or framework that contains no written copy, and includes only one side of a double-faced sign.
2. Individual letter signs using a wall as the background without added decoration or change in wall color shall be calculated by measuring the perimeter enclosing each letter. The combined total area of each individual letter shall be considered the total area of the sign.
3. Module signs consisting of more than one sign cabinet shall be computed by adding together the total area of each module.
4. Perimeter of sign area shall be established by the smallest rectangle enclosing the extreme limits of the letter module or advertising message being measured.

HH. "Sign height" means the vertical distance measured from the adjacent grade to the highest point of the sign.

II. "Sign structure" means any structure that supports or is capable of supporting any sign as defined in this chapter. A sign structure may be a single pole or may or may not be an integral part of the building or structure.

JJ. "Single-tenant building" means a commercial building or structure that contains one enterprise or occupant. Buildings within a multibuilding complex may not be considered a single-tenant building.

KK. "Special event signage" means temporary signs including posters, flags, pennants, and inflatable materials; which are not the primary identification for the organization, event or product advertised; and which are primarily intended for very short-term promotional periods.

LL. "Suspended sign" means a sign that is attached to and suspended from a marquee or canopy, and subject to right-of-way and clearance regulations.

MM. "Temporary sign" means any sign or advertising display constructed of wood, vinyl, cloth, canvas, light fabric, paper, cardboard, or other light materials, with or without frames, intended to be displayed for a limited time only. This definition shall include inflatable signs.

NN. "Traffic hazard" means any sign which does not meet city standards for clear zone or sight distance or which does not meet the requirements of the Americans with Disabilities Act.

OO. "Wall sign" means a sign attached or erected parallel to and extending not more than 16 inches from the facade or face of any building to which it is attached and supported through its entire length, with the exposed face of the sign parallel to the plane of said wall or facade. "Window signs" which do not meet the definition of a "temporary sign" shall be considered as wall signs.

PP. "Window sign" means a sign located inside or affixed to windows of a building, whether temporary or permanent, lighted or unlighted, which may be viewed from the exterior of the building.

~~QQ. "Feather Banner or Sign" means a fabric sign with printed advertisement on one or two faces that is either stationery or rotates and is attached on one side to a metal pole or stake that is placed in the ground or attached to a secure object.~~

~~RR. "Off premise directional sign" means a sign located on private property or in the public right of way as authorized that directs or guides persons to an establishment, merchandise, service, goods, or entertainment which is sold, produced, and manufactured, or furnished at a place other than on the property or public right of way on which said sign is located. (Ord. 6166 § 1, 2008; Ord. 5993 § 1, 2006; Ord. 4705 § 2, 1994; Ord. 4229 § 2, 1987.)~~

Section 5. Amendment to City Code.

That, from the effective date of this Ordinance, through September 15, 2010 Section 18.56.030 of the Auburn City Code be and the same hereby is amended to read as follows:

18.56.030 General provisions, all districts.

A. Community Signs. The planning, building and community director may approve and permit to be erected entrance signs, at or near the city limits, on city public right-of-way or on privately owned parcels with the owner's permission, on which may be listed institutional names, service clubs or organizations or points of interest or similar public information. Right-of-way use permits may be required for signs located in the public right-of-way, except as permitted by ACC 18.56.030.B.1, ACC 18.56.030.B.2, ACC 18.56.030.I or ACC 18.56.030.J.

B. Temporary Signs.

1. Until September 16, 2010 Special event signage may be allowed subject to the following, in the RO, RO-H, CN, C-1, C-2, C-3, DUC, BP, LF, M-1, M-2, EP and the non-residential used properties in the Terrace View District and the PUD-Lakeland Hills South subject to obtainment of temporary sign permit authorization from the City and compliance with the following as applicable:

a. Use of such signage is limited to 10 days per display, not to exceed 10 days in any 90-day period;

b. The area of any single sign shall not exceed 30 square feet;

b. Special event signs as authorized herein shall not have the following:

i. Illumination of any kind

ii. Strobing or blinking or flashing lights

iii. Electrical animation

iv. Changeable reader copy, electronic or manual

c. Special event signage shall not exceed the maximum height limitations of the underlying zoning district.

d. Special event signs may have spinning elements attached to them including but not limited to flags or pennants or balloons or windsocks attached to them provided that they do not at any time constitute a traffic safety or pedestrian safety hazard.

e. Balloons and windsock special event signage shall not be authorized to be placed in the public rights-of-way or on-site landscape area or off-site on another private parcel of land that does not contain the business or service being advertised,

f. Flag and pennant special event signage may be authorized to be placed in the public rights-of-way, provided that placement in the public rights-of-way does not constitute a traffic safety or

pedestrian safety hazard and does not create non-conformance to the American with Disabilities Act,

g. Flag and pennant special event signage may be authorized to be placed in on-site landscape area and off-site on another private parcel of land that does not contain the business or service being advertised, provided that placement in on-site landscape areas does not impede sight distance and that off-site placement on another property has received prior property owner authorization.

2. Until September 16, 2010 Banners may be allowed in the RO, RO-H, CN, C-1, C-2, C-3, DUC, BP, LF, M-1, M-2, EP and the non-residential used properties in the Terrace View District and the PUD-Lakeland Hills South, subject to obtainment of temporary sign permit authorization from the City and compliance with the following:

a. No more than two such signs may be used per site at any given time;

b. Use of such signs is limited to 90 consecutive days, and may not exceed 90 days in any 120 day period;

c. The area of any single banner used by a single business on a site shall not exceed 32 120 square feet, provided that banners crossing roadways as approved by the City shall not exceed 120 square feet.;

c. For multi-tenant buildings and/or multi-business complexes, each business shall be authorized to have a banner provided that the size of each banner shall be limited to maximum of 32 square feet, provided that banners crossing roadways as approved by the City shall not exceed 120 square feet.

d. Banners as authorized herein shall not have the following:

i. Illumination of any kind

ii. Strobing or blinking or flashing lights

iii. Electrical animation

iv. Changeable reader copy, electronic or manual

e. Banner signage shall not exceed the maximum height limitations of the underlying zoning district.

f. Banners may have spinning elements attached to them including but not limited to flags or pennants or balloons or windsocks attached to them provided that they do not at any time constitute a traffic safety or pedestrian safety hazard.

g. Banners may be authorized to be placed in the public rights-of-way, provided that placement in the public rights-of-way does not constitute a traffic safety or pedestrian safety hazard or does not create non-conformance to the American with Disabilities Act.

h. Banners may be authorized to be placed in on-site landscape area and off-site on another private parcel of land that does not contain the business or service being advertised, provided

that placement in on-site landscape areas does not impede sight distance and that off-site placement on another property has received prior property owner authorization.

~~3. Signs which are placed upon or within a window and which are intended to be viewed from the right of way shall not exceed 50 percent of the window area;~~

~~4. Permits are not required, except that signs exceeding the allowable size and time duration must receive a permit issued by the planning, building and community director if special circumstances exist that warrant the additional signage.~~

C. Civic Events. Street banners may be permitted subject to approval and installation in accordance with rules and procedures established by the city of Auburn public works department.

D. Sign Lighting Provisions.

1. All lighting shall be arranged to reflect away from any residential zone. No person shall construct, establish, create or maintain any stationary exterior lighting or illumination system or any interior system which is intended to be viewed from a street, highway or other public thoroughfare used for vehicular traffic which system contains or utilizes:

a. Any exposed incandescent lamp with wattage in excess of 25 watts,

b. Any exposed incandescent lamp with a metallic reflector,

c. Any exposed incandescent lamp with an external reflector,

d. Any revolving beacon light,

e. Any continuous or sequential flashing operation, except as allowed for changing message center signs in subsection F of this section;

2. The provisions of subsection (D)(1) of this section shall not apply to:

a. Lighting systems owned or controlled by any public agency for the purpose of directing or controlling navigation, traffic, or highway or street illumination,

b. Aircraft warning lights.

E. Construction Provisions, Sight Distance, Exposed Angle Iron and Wire.

1. Each sign shall be adequately constructed in accordance with the requirements of the International Building Codes, as amended;

2. Signs containing electrical circuitry shall meet the requirements of the National Electrical Code and all state laws, and shall include an approved testing lab sticker;

3. Signs must meet vehicular sight distance requirements established by the city engineer pursuant to ~~ACG 18.48.020(B)~~ the City of Auburn Engineering Design Standards;

4. When a projecting sign is used, no angle irons, guy wires or braces shall be visible, except those that are an integral part of the overall design, such as decorative metals or woods, or unless they are required for safety.

F. Changing Message Center Signs. Where permitted under this chapter, changing message center signs shall comply with the following requirements; provided, that changing message center signs that only display time and temperature or similar public service information shall be exempt from these requirements.

1. Where Allowed. Changing message center signs shall only be allowed in the I, P-1, C-1, C-2, DUC, C-3, M-1 and M-2 zones.

a. In the I and C-1 zones, changing message center signs shall only be allowed on frontages along a collector, minor or principal arterial street.

b. In the I zone, no changing message center sign shall operate between the hours of 10:00 p.m. and 6:00 a.m.

c. In the DUC zone, changing message center signs shall only be allowed when located adjacent and oriented to Auburn Way North/Auburn Way South street frontages. (For other sign standards for the DUC zone, see ACC 18.29.060(I)).

2. Number. No more than one changing message center sign per street frontage shall be permitted on each property.

3. Sign Face Area. Except in the I and P-1 zones, the changing message center shall not constitute more than 75 percent of a sign's total sign face area.

4. Display.

a. The display of the sign shall not change more rapidly than once every one and one-half seconds.

b. No scrolling message shall require more than five seconds to be displayed in its entirety.

5. Light Levels.

a. Changing message center signs shall have installed ambient light monitors and shall at all times allow such monitors to automatically adjust the brightness level of the sign based on ambient light conditions.

b. At no time shall a changing message center sign be operated at a brightness level greater than the manufacturer's recommended levels.

c. All lighting shall be arranged to reflect away from any residential zone. The director shall have the authority to require a sign permit application include information to ensure the intent of this requirement is met.

d. The brightness level shall not exceed 8,000 nits when measured from the sign's face at its maximum brightness during daylight hours and 500 nits when measured from the sign's face at its maximum brightness between dusk and dawn.

6. On-Premises Advertising Only. Changing message center signs shall only advertise on-premises products and services, or display public service messages or messages on behalf of not-for-profit organizations.

7. Additional Requirements. A copy of the manufacturer's operating manual shall be provided to the city upon request.

8. Amortization. All changing message center signs that do not comply with the requirements of subsections (F)(4) and (5) of this section shall be brought into compliance with those requirements by April 1, 2009.

G. Change of Copy. The holder of a permit, for the duration thereof, shall have the right to change the advertising copy on the structure or sign for which the permit was issued without being required to pay any additional fees.

H. Exemptions. Unless otherwise specified or unless expressly prohibited, it is not the intent of this chapter to regulate the following signs:

1. The flag of a government or noncommercial institutions such as schools, with the poles treated as structures;
2. Official public notices, official court notices;
3. Incidental signs (see ACC 18.56.020(O), Definitions);
4. Signs not visible from public right-of-way;
5. Lettering or symbols painted directly onto or flush-mounted magnetically onto an operable vehicle;
6. Painting, repainting, cleaning, repairing, and other normal maintenance unless structural or electrical changes are made;
7. Religious symbols not attached to a permitted sign;
8. Memorial signs or tablets, names of buildings, dates of erection and the like, which are incorporated into the building material and facade;
9. Signs required by law, traffic or pedestrian control signs, signs indicating scenic or historic points of interest, which are erected by or on the order of a public officer in the performance of his or her public duty;
10. Sculptures, fountains, mosaics, and design features which do not incorporate advertising or identification;
11. Temporary signs limited exclusively to noncommercial speech.

I. Until September 16, 2010, portable signs shall be allowed in the RO, RO-H, CN, C-1, C-3, BP, LF, M-1, M-2, EP and the non-residential used properties in the Terrace View District and the PUD-Lakeland Hills South subject to obtainment of temporary sign permit authorization from the City and compliance with the following as applicable:

1. For single-tenant buildings and/or sites, one portable sign shall be allowed per building or property frontage, as applicable.

2. Each business in a multi-tenant building and/or multi-building complex shall be limited to a maximum of one (1) portable sign.
3. For multi-tenant buildings and/or multi-building complexes that propose to place one or more portable signs within the on-site landscaped area at the intersection of two public or private streets or at a driveway intersection with a public or private street, compliance to the City's minimum sight distance requirements shall be maintained at all times.
4. For multi-tenant buildings and/or multi-building complexes that propose to place one or more portable signs along the property street frontage of a public or private street, the total number of allowable portable signs along said frontage shall be limited as follows to reduce the visual and aesthetic impact to the City:
 - a. 0-25 lineal feet of public or private street frontage = 1 portable sign every 3 lineal feet of street frontage up to a maximum of three (3) signs at any given time.
 - b. 26-50 lineal feet of public or private street frontage = 1 portable sign every 3 lineal feet of street frontage up to a maximum of four (4) signs at any given time.
 - c. 51-75 lineal feet of public or private street frontage = 1 portable sign every 3 lineal feet of street frontage up to maximum of five (5) signs at any given time.
 - d. 76-100 lineal feet of public or private street frontage = 1 portable sign every 3 lineal feet of street frontage up to a maximum of six (6) signs at any given time.
 - e. 100-125 lineal feet of public or private street frontage = 1 portable sign every 3 lineal feet of street frontage up to a maximum of seven (7) signs at any given time.
 - f. 126-150 lineal feet of public or private street frontage = 1 portable sign every 3 lineal feet of street frontage up to a maximum of eight (8) signs at any given time.
 - g. 151-175 lineal feet of public or private street frontage = 1 portable sign every 3 lineal feet of street frontage up to a maximum of nine (9) signs at any given time.
 - h. 176 lineal feet and greater of public or private street frontage = 1 portable sign every 3 lineal feet of street frontage up to a maximum of ten (10) signs at any given time.
 - i. The Planning Director shall have the discretionary authority to authorize additional portable signs along a public or private street frontage when in his or her determination such allowance will not substantively impact the visual and/or aesthetic impact to the City and such allowance is warranted by physical site conditions or economic or business considerations or other factors as deemed reasonable by the Planning Director.
5. Portable signs shall not be located in one or more existing parking spaces on a development site.

6. Portable signs as authorized herein shall not have the following:

- a. Illumination of any kind
- b. Strobing or blinking or flashing lights
- c. Electrical animation
- d. Changeable reader copy, electronic or manual

7. Portable signs may have spinning elements including but not limited to flags or pennants or balloons or windsocks attached to them provided that they do not at any time constitute a traffic safety or pedestrian safety hazard.

8. Portable signs advertising a business or service not located on the same site shall be allowed to be located off-site from the business or service being advertised provided that prior property owner authorization has been obtained by said business operator or service provider.

9. Each portable sign shall have a maximum total sign size of 36 inches in height and 30 inches in width and be limited to two faces.

10. Portable signs shall be allowed in the public right-of-way provided that any and all signs are not placed within vehicle travel lanes or improved/unimproved vehicle shoulder areas or bicycle lanes, are not placed in front of or block access to marked bus transit stops, do not interfere with or impede pedestrian traffic or crossings and do not create non-conformance to the American with Disabilities Act.

J. Until September 16, 2010, off-premises directional signs shall be allowed in the RO, RO-H, CN, C-1, C-2, C-3, DUC, BP, LF, M-1, M-2, EP, and the non-residential used properties in the Terrace View District and the PUD-Lakeland Hills South subject to obtainment of temporary sign permit authorization from the City and compliance with the following as applicable:

1. Off-premise directional signs as authorized herein shall not have the following:

- a. Illumination of any kind
- b. Strobing or blinking or flashing lights
- c. Electrical animation
- d. Changeable reader copy, electronic or manual

2. Off-premise directional signs may have spinning elements including but not limited to flags or pennants or balloons or windsocks attached to them provided that they do not at any time constitute a traffic safety or pedestrian safety hazard.

3. Off-premises directional signs may be authorized to be placed in the public rights-of-way provided that placement in the public rights-of-way does not constitute a traffic safety or pedestrian safety hazard and does not create non-conformance to the American with Disabilities Act.

4. Off-premises directional signs may be authorized to be placed in on-site landscape area, or off-site on another private parcel of land that does not contain the business or service being advertised, provided that placement in on-site landscape areas does not impede sight distance and that off-site placement on another property has received prior property owner authorization.

5. Off-premises directional signs shall not be located in one or more existing parking spaces on a development site.

6. Off-premises directional signs shall have a maximum sign face area of 12 inches by 24 inches and a total height of 42 inches inclusive of any wood, metal, plastic or other support and a maximum of two (2) sign faces.

K. Prohibited Signs. From and after the effective date of the ordinance codified in this chapter it shall be unlawful for any person to erect or place within the city, except as otherwise authorized:

1. A swinging projecting sign;

2. Portable signs, except as permitted by ACC 18.56.025 (Real estate signs), ~~and~~ ACC 18.56.040(E) (C-2 District) and ACC 18.56.030.I, subsections 1 through 10;

3. Banners, pennants, ribbons, streamers, spinners, rotating or blinking lights, strings of lights, or similar devices, except as permitted by subsection B of this section (Temporary Signs);

4. Flashing signs, except as permitted in subsection D of this section (Sign Lighting Provisions);

5. Changing message center signs, except as allowed in the I, P-1, C-1, C-2, C-3, M-1 and M-2 zones;

6. Signs attached to, or placed on, a vehicle or trailer parked on private or public property that is not associated with the business advertised on said sign(s). This provision is not to be construed as prohibiting the identification of a firm or its principal products on a vehicle used in the normal course of business. This does not include automobile for sale signs or signs attached to franchised buses or taxis;

7. Private signs placed in or on a public right-of-way, except for as expressly permitted by this chapter;

8. Any sign which constitutes a traffic hazard or detriment to traffic safety by reason of its size, location, movement, coloring, or method of illumination, or by obstructing the vision of drivers, or detracting from the visibility of any official traffic control device by diverting or tending to divert the attention of drivers of moving vehicles from traffic movement on streets, roads, intersections, or access facilities. No sign shall be erected so that it obstructs the vision of pedestrians by glare or method of illumination or constitutes a hazard to traffic. No sign may use words, phrases, symbols or characters in such a manner as to interfere with, mislead, or confuse traffic;

9. Any sign or advertising structure or supporting structure that is torn, damaged, defaced or destroyed;
10. Signs attached to poles installed by governmental agencies, utility poles, trees, rocks or other natural features;
11. Signs attached to benches, garbage cans, or other street furniture located within the public right-of-way;
12. Rotating signs;
13. Billboards;
14. Any sign which does not structurally or materially conform to the requirements of the city's adopted International Building Code.

JL. Nonconforming Signs. Permanent signs established legally prior to the adoption of the ordinance codified in this chapter that do not conform to the regulations of this chapter with regard to number, size, height or location shall be allowed to remain as legal nonconforming signs except as follows:

1. Whenever a new building replaces the principal building.
2. When there is an expansion of an existing building, the requirements of this section shall apply only if there is an increase in floor area of 25 percent or more (including the cumulative increase of previous expansions after the effective date of the ordinance amending this section).
3. Whenever a nonconforming use is replaced by a conforming use, the requirements of this section shall apply in full to the new use if and only if there is a change in required signage due to the zoning district.
4. Any sign, including the sign structure, now or hereafter existing which no longer advertises a bona fide business conducted or a product sold. Such sign(s) shall be taken down and removed by the owner, agent or person having the beneficial use of the land, building or structure upon which such sign may be found within 90 days after written notification from the building official.

KM. Master Sign Plans Authorized. The planning, building and community director has the authority to require a master sign plan to ensure a consistent and coordinated signage scheme for development proposals. In approving master sign plans under the provisions of this subsection, the director has the authority to approve signage schemes that allow for signs greater in area and height than allowed in the particular zone in which the development is located when a coordinated signage scheme is used. Master signage plans shall be recorded.

N. Maintenance and Safety. All permanent, temporary and portable signs and components thereof must be maintained in good repair and in a safe, neat, clean and attractive condition. Failure to maintain a sign(s) in accordance with this subsection shall be subject to the code compliance provisions of the Auburn City Code.

(Ord. 6166 § 2, 2008; Ord. 5993 § 1, 2006; Ord. 5342 § 2, 2000; Ord. 4705 § 2, 1994; Ord. 4229 § 2, 1987.)

Section 6. Amendment to City Code. That, effective September

16, 2010 Section 18.56.030 of the Auburn City Code be and the same hereby is amended to read as follows:

18.56.030 General provisions, all districts.

A. Community Signs. The planning, building and community director may approve and permit to be erected entrance signs, at or near the city limits, on city public right-of-way or on privately owned parcels with the owner's permission, on which may be listed institutional names, service clubs or organizations or points of interest or similar public information. Right-of-way use permits may be required for signs located in the public right-of-way, ~~except as permitted by ACC 18.56.030.B.1, ACC 18.56.030.B.2, ACC 18.56.030.I or ACC 18.56.030.J.~~

B. Temporary Signs.

1. ~~Until September 16, 2010 s~~Special event signage may be allowed subject to the following: in the RO, RO-H, CN, C-1, C-2, C-3, DUC, BP, LF, M-1, M-2, EP and the non residential used properties in the Terrace View District and the PUD Lakeland Hills South subject to obtainment of temporary sign permit authorization from the City and compliance with the following as applicable:

a. Use of such signage is limited to 10 days per display, not to exceed 10 days in any 90 day period;

b. The area of any single sign shall not exceed 30 square feet;

b. ~~Special event signs as authorized herein shall not have the following:~~

i. ~~Illumination of any kind~~

ii. ~~Strobing or blinking or flashing lights~~

iii. ~~Electrical animation~~

iv. ~~Changeable reader copy, electronic or manual~~

c. ~~Special event signage shall not exceed the maximum height limitations of the underlying zoning district.~~

d. ~~Special event signs may have spinning elements attached to them including but not limited to flags or pennants or balloons or windsocks attached to them provided that they do not at any time constitute a traffic safety or pedestrian safety hazard.~~

e. ~~Balloons and windsock special event signage shall not be authorized to be placed in the public rights-of-way or on-site landscape area or off site on another private parcel of land that does not contain the business or service being advertised,~~

~~f. Flag and pennant special event signage may be authorized to be placed in the public rights of way, provided that placement in the public rights of way does not constitute a traffic safety or pedestrian safety hazard and does not create non-conformance to the American with Disabilities Act.~~

~~g. Flag and pennant special event signage may be authorized to be placed in on-site landscape area and off-site on another private parcel of land that does not contain the business or service being advertised, provided that placement in on-site landscape areas does not impede sight distance and that off-site placement on another property has received prior property owner authorization.~~

~~2. Until September 16, 2010 bBanners may be allowed in the RO, RO-H, CN, C-1, C-2, C-3, DUG, BP, LF, M-1, M-2, EP and the non-residential used properties in the Terrace View District and the PUD Lakeland Hills South, subject to obtainment of temporary sign permit authorization from the City and compliance with the following:~~

~~a. No more than two such signs may be used per site at any given time;~~

~~b. Use of such signs is limited to 90 consecutive days, and may not exceed 90 days in any 120-day period;~~

~~c. The area of any single banner used by a single business on a site shall not exceed 32 square feet;~~

~~e. For multi-tenant buildings and/or multi-business complexes, each business shall be authorized to have a banner provided that the size of each banner shall be limited to maximum of 32 square feet, provided that banners crossing roadways as approved by the City shall not exceed 120 square feet.~~

~~d. Banners as authorized herein shall not have the following:~~

~~i. Illumination of any kind~~

~~ii. Strobing or blinking or flashing lights~~

~~iii. Electrical animation~~

~~iv. Changeable reader copy, electronic or manual~~

~~e. Banner signage shall not exceed the maximum height limitations of the underlying zoning district.~~

~~f. Banners may have spinning elements attached to them including but not limited to flags or pennants or balloons or windsocks attached to them provided that they do not at any time constitute a traffic safety or pedestrian safety hazard.~~

~~g. Banners may be authorized to be placed in the public rights of way, provided that placement in the public rights of way does not constitute a traffic safety or pedestrian safety hazard or does not create non-conformance to the American with Disabilities Act.~~

~~h. Banners may be authorized to be placed in on-site landscape area and off site on another private parcel of land that does not contain the business or service being advertised, provided that placement in on-site landscape areas does not impede sight distance and that off site placement on another property has received prior property owner authorization.~~

3. Signs which are placed upon or within a window and which are intended to be viewed from the right-of-way shall not exceed 50 percent of the window area;

4. Permits are not required, except that signs exceeding the allowable size and time duration must receive a permit issued by the planning, building and community director if special circumstances exist that warrant the additional signage.

C. Civic Events. Street banners may be permitted subject to approval and installation in accordance with rules and procedures established by the city of Auburn public works department.

D. Sign Lighting Provisions.

1. All lighting shall be arranged to reflect away from any residential zone. No person shall construct, establish, create or maintain any stationary exterior lighting or illumination system or any interior system which is intended to be viewed from a street, highway or other public thoroughfare used for vehicular traffic which system contains or utilizes:

a. Any exposed incandescent lamp with wattage in excess of 25 watts,

b. Any exposed incandescent lamp with a metallic reflector,

c. Any exposed incandescent lamp with an external reflector,

d. Any revolving beacon light,

e. Any continuous or sequential flashing operation, except as allowed for changing message center signs in subsection F of this section;

2. The provisions of subsection (D)(1) of this section shall not apply to:

a. Lighting systems owned or controlled by any public agency for the purpose of directing or controlling navigation, traffic, or highway or street illumination,

b. Aircraft warning lights.

E. Construction Provisions, Sight Distance, Exposed Angle Iron and Wire.

1. Each sign shall be adequately constructed in accordance with the requirements of the International Building Codes, as amended;

2. Signs containing electrical circuitry shall meet the requirements of the National Electrical Code and all state laws, and shall include an approved testing lab sticker;

3. Signs must meet vehicular sight distance requirements established by the city engineer pursuant to the City of Auburn Engineering Design Standards;

4. When a projecting sign is used, no angle irons, guy wires or braces shall be visible, except those that are an integral part of the overall design, such as decorative metals or woods, or unless they are required for safety.

F. Changing Message Center Signs. Where permitted under this chapter, changing message center signs shall comply with the following requirements; provided, that changing message center signs that only display time and temperature or similar public service information shall be exempt from these requirements.

1. Where Allowed. Changing message center signs shall only be allowed in the I, P-1, C-1, C-2, DUC, C-3, M-1 and M-2 zones.

a. In the I and C-1 zones, changing message center signs shall only be allowed on frontages along a collector, minor or principal arterial street.

b. In the I zone, no changing message center sign shall operate between the hours of 10:00 p.m. and 6:00 a.m.

c. In the DUC zone, changing message center signs shall only be allowed when located adjacent and oriented to Auburn Way North/Auburn Way South street frontages. (For other sign standards for the DUC zone, see ACC 18.29.060(I)).

2. Number. No more than one changing message center sign per street frontage shall be permitted on each property.

3. Sign Face Area. Except in the I and P-1 zones, the changing message center shall not constitute more than 75 percent of a sign's total sign face area.

4. Display.

a. The display of the sign shall not change more rapidly than once every one and one-half seconds.

b. No scrolling message shall require more than five seconds to be displayed in its entirety.

5. Light Levels.

a. Changing message center signs shall have installed ambient light monitors and shall at all times allow such monitors to automatically adjust the brightness level of the sign based on ambient light conditions.

b. At no time shall a changing message center sign be operated at a brightness level greater than the manufacturer's recommended levels.

c. All lighting shall be arranged to reflect away from any residential zone. The director shall have the authority to require a sign permit application include information to ensure the intent of this requirement is met.

d. The brightness level shall not exceed 8,000 nits when measured from the sign's face at its maximum brightness during daylight hours and 500 nits when measured from the sign's face at its maximum brightness between dusk and dawn.

6. On-Premises Advertising Only. Changing message center signs shall only advertise on-premises products and services, or display public service messages or messages on behalf of not-for-profit organizations.

7. Additional Requirements. A copy of the manufacturer's operating manual shall be provided to the city upon request.

8. Amortization. All changing message center signs that do not comply with the requirements of subsections (F)(4) and (5) of this section shall be brought into compliance with those requirements by April 1, 2009.

G. Change of Copy. The holder of a permit, for the duration thereof, shall have the right to change the advertising copy on the structure or sign for which the permit was issued without being required to pay any additional fees.

H. Exemptions. Unless otherwise specified or unless expressly prohibited, it is not the intent of this chapter to regulate the following signs:

1. The flag of a government or noncommercial institutions such as schools, with the poles treated as structures;

2. Official public notices, official court notices;

3. Incidental signs (see ACC 18.56.020(O), Definitions);

4. Signs not visible from public right-of-way;

5. Lettering or symbols painted directly onto or flush-mounted magnetically onto an operable vehicle;

6. Painting, repainting, cleaning, repairing, and other normal maintenance unless structural or electrical changes are made;

7. Religious symbols not attached to a permitted sign;

8. Memorial signs or tablets, names of buildings, dates of erection and the like, which are incorporated into the building material and facade;

9. Signs required by law, traffic or pedestrian control signs, signs indicating scenic or historic points of interest, which are erected by or on the order of a public officer in the performance of his or her public duty;

10. Sculptures, fountains, mosaics, and design features which do not incorporate advertising or identification;

11. Temporary signs limited exclusively to noncommercial speech.

I. ~~Until September 16, 2010, portable signs shall be allowed in the RO, RO-H, CN, C-1, C-3, BP, LF, M-1, M-2, EP and the non-residential used properties in the Terrace View District and the PUD Lakeland Hills South subject to obtainment of temporary~~

~~sign permit authorization from the City and compliance with the following as applicable:~~

~~1. For single tenant buildings and/or sites, one portable sign shall be allowed per building or property frontage, as applicable.~~

~~2. Each business in a multi tenant building and/or multi-building complex shall be limited to a maximum of one (1) portable sign.~~

~~3. For multi tenant buildings and/or multi building complexes that propose to place one or more portable signs within the on site landscaped area at the intersection of two public or private streets or at a driveway intersection with a public or private street, compliance to the City's minimum sight distance requirements shall be maintained at all times.~~

~~4. For multi tenant buildings and/or multi building complexes that propose to place one or more portable signs along the property street frontage of a public or private street, the total number of allowable portable signs along said frontage shall be limited as follows to reduce the visual and aesthetic impact to the City:~~

~~a. 0-25 lineal feet of public or private street frontage = 1 portable sign every 3 lineal feet of street frontage up to a maximum of three (3) signs at any given time.~~

~~b. 26-50 lineal feet of public or private street frontage = 1 portable sign every 3 lineal feet of street frontage up to a maximum of four (4) signs at any given time.~~

~~c. 51-75 lineal feet of public or private street frontage = 1 portable sign every 3 lineal feet of street frontage up to maximum of five (5) signs at any given time.~~

~~d. 76-100 lineal feet of public or private street frontage = 1 portable sign every 3 lineal feet of street frontage up to a maximum of six (6) signs at any given time.~~

~~e. 100-125 lineal feet of public or private street frontage = 1 portable sign every 3 lineal feet of street frontage up to a maximum of seven (7) signs at any given time.~~

~~f. 126-150 lineal feet of public or private street frontage = 1 portable sign every 3 lineal feet of street frontage up to a maximum of eight (8) signs at any given time.~~

~~g. 151-175 lineal feet of public or private street frontage = 1 portable sign every 3 lineal feet of street frontage up to a maximum of nine (9) signs at any given time.~~

~~h. 176 lineal feet and greater of public or private street frontage = 1 portable sign every 3 lineal feet of street frontage up to a maximum of ten (10) signs at any given time.~~

~~i. The Planning Director shall have the discretionary authority to authorize additional portable signs along a public or private street frontage when in his or her determination such allowance~~

~~will not substantively impact the visual and/or aesthetic impact to the City and such allowance is warranted by physical site conditions or economic or business considerations or other factors as deemed reasonable by the Planning Director.~~

~~5. Portable signs shall not be located in one or more existing parking spaces on a development site.~~

~~6. Portable signs as authorized herein shall not have the following:~~

~~a. Illumination of any kind~~

~~b. Strobing or blinking or flashing lights~~

~~c. Electrical animation~~

~~d. Changeable reader copy, electronic or manual~~

~~7. Portable signs may have spinning elements including but not limited to flags or pennants or balloons or windsocks attached to them provided that they do not at any time constitute a traffic safety or pedestrian safety hazard.~~

~~8. Portable signs advertising a business or service not located on the same site shall be allowed to be located off site from the business or service being advertised provided that prior property owner authorization has been obtained by said business operator or service provider.~~

~~9. Each portable sign shall have a maximum total sign size of 36 inches in height and 30 inches in width and be limited to two faces.~~

~~10. Portable signs shall be allowed in the public right-of-way provided that any and all signs are not placed within vehicle travel lanes or improved/unimproved vehicle shoulder areas or bicycle lanes, are not placed in front of or block access to marked bus transit stops, do not interfere with or impede pedestrian traffic or crossings and do not create non-conformance to the American with Disabilities Act.~~

~~J. Until September 16, 2010, off-premises directional signs shall be allowed in the RO, RO-H, CN, C-1, C-2, C-3, DUC, BP, LF, M-1, M-2, EP, and the non-residential used properties in the Terrace View District and the PUD-Lakeland Hills South subject to obtainment of temporary sign permit authorization from the City and compliance with the following as applicable:~~

~~1. Off-premise directional signs as authorized herein shall not have the following:~~

~~a. Illumination of any kind~~

~~b. Strobing or blinking or flashing lights~~

~~c. Electrical animation~~

~~d. Changeable reader copy, electronic or manual~~

~~2. Off-premise directional signs may have spinning elements including but not limited to flags or pennants or balloons or~~

~~windsocks attached to them provided that they do not at any time constitute a traffic safety or pedestrian safety hazard.~~

~~3. Off premises directional signs may be authorized to be placed in the public rights-of-way provided that placement in the public rights-of-way does not constitute a traffic safety or pedestrian safety hazard and does not create non-conformance to the American with Disabilities Act.~~

~~4. Off premises directional signs may be authorized to be placed in on-site landscape area, or off site on another private parcel of land that does not contain the business or service being advertised, provided that placement in on-site landscape areas does not impede sight distance and that off-site placement on another property has received prior property owner authorization.~~

~~5. Off premises directional signs shall not be located in one or more existing parking spaces on a development site.~~

~~6. Off premises directional signs shall have a maximum sign face area of 12 inches by 24 inches and a total height of 42 inches inclusive of any wood, metal, plastic or other support and a maximum of two (2) sign faces.~~

~~K. Prohibited Signs. From and after the effective date of the ordinance codified in this chapter it shall be unlawful for any person to erect or place within the city, except as otherwise authorized:~~

~~1. A swinging projecting sign;~~

~~2. Portable signs, except as permitted by ACC 18.56.025 (Real estate signs), and ACC 18.56.040(E) (C-2 District) and ACC 18.56.030.I, subsections 1 through 10;~~

~~3. Banners, pennants, ribbons, streamers, spinners, rotating or blinking lights, strings of lights, or similar devices, except as permitted by subsection B of this section (Temporary Signs);~~

~~4. Flashing signs, except as permitted in subsection D of this section (Sign Lighting Provisions);~~

~~5. Changing message center signs, except as allowed in the I, P-1, C-1, C-2, C-3, M-1 and M-2 zones;~~

~~6. Signs attached to, or placed on, a vehicle or trailer parked on private or public property that is not associated with the business advertised on said sign(s). This provision is not to be construed as prohibiting the identification of a firm or its principal products on a vehicle used in the normal course of business. This does not include automobile for sale signs or signs attached to franchised buses or taxis;~~

~~7. Private signs placed in or on a public right-of-way, except for as expressly permitted by this chapter;~~

~~8. Any sign which constitutes a traffic hazard or detriment to traffic safety by reason of its size, location, movement, coloring, or method of illumination, or by obstructing the vision of drivers, or~~

detracting from the visibility of any official traffic control device by diverting or tending to divert the attention of drivers of moving vehicles from traffic movement on streets, roads, intersections, or access facilities. No sign shall be erected so that it obstructs the vision of pedestrians by glare or method of illumination or constitutes a hazard to traffic. No sign may use words, phrases, symbols or characters in such a manner as to interfere with, mislead, or confuse traffic;

9. Any sign or advertising structure or supporting structure that is torn, damaged, defaced or destroyed;

10. Signs attached to poles installed by governmental agencies, utility poles, trees, rocks or other natural features;

11. Signs attached to benches, garbage cans, or other street furniture located within the public right-of-way;

12. Rotating signs;

13. Billboards;

14. Any sign which does not structurally or materially conform to the requirements of the city's adopted International Building Code.

JL. Nonconforming Signs. Permanent signs established legally prior to the adoption of the ordinance codified in this chapter that do not conform to the regulations of this chapter with regard to number, size, height or location shall be allowed to remain as legal nonconforming signs except as follows:

1. Whenever a new building replaces the principal building.

2. When there is an expansion of an existing building, the requirements of this section shall apply only if there is an increase in floor area of 25 percent or more (including the cumulative increase of previous expansions after the effective date of the ordinance amending this section).

3. Whenever a nonconforming use is replaced by a conforming use, the requirements of this section shall apply in full to the new use if and only if there is a change in required signage due to the zoning district.

4. Any sign, including the sign structure, now or hereafter existing which no longer advertises a bona fide business conducted or a product sold. Such sign(s) shall be taken down and removed by the owner, agent or person having the beneficial use of the land, building or structure upon which such sign may be found within 90 days after written notification from the building official.

KM. Master Sign Plans Authorized. The planning, building and community director has the authority to require a master sign plan to ensure a consistent and coordinated signage scheme for development proposals. In approving master sign plans under the provisions of this subsection, the director has the authority to

approve signage schemes that allow for signs greater in area and height than allowed in the particular zone in which the development is located when a coordinated signage scheme is used. Master signage plans shall be recorded.

L.N. Maintenance and Safety. All permanent, temporary and portable signs and components thereof must be maintained in good repair and in a safe, neat, clean and attractive condition. Failure to maintain a sign(s) in accordance with this subsection shall be subject to the code compliance provisions of the Auburn City Code. (Ord. 6166 § 2, 2008; Ord. 5993 § 1, 2006; Ord. 5342 § 2, 2000; Ord. 4705 § 2, 1994; Ord. 4229 § 2, 1987.)

Section 7. Extension of Time. In its deliberations on the text of this ordinance, the City of Auburn Planning Commission considered and recommended to the City Council that the Council consider up to two six month extensions of the provisions of this Ordinance, should economic conditions warrant such extensions. The Planning Commission acknowledged that the extension of time is procedural and that no further Planning Commission action is required before City Council enactment of such extensions.

Section 8. Implementation. The Mayor is hereby authorized to implement such administrative procedures as may be necessary to carry out the directions of this legislation.

Section 9. Severability. The provisions of this ordinance are declared to be separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section or portion of this ordinance, or the invalidity of the application thereof to any person or circumstance shall not affect the validity of the remainder of this ordinance, or the validity of its application to other persons or circumstances.

Section 10. Effective date. This Ordinance shall take effect and be in force five days from and after its passage, approval and publication as provided by law.

INTRODUCED: _____

PASSED: _____

APPROVED: _____


CITY OF AUBURN

PETER B. LEWIS
MAYOR

ATTEST:

Danielle E. Daskam, City Clerk

APPROVED AS TO FORM:



Daniel B. Heid, City Attorney

Published: _____